

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

AITHENT, INC.,

Plaintiff,

Case No. 4:11-CV-00173-GAF

-against-

THE NATIONAL ASSOCIATION OF INSURANCE  
COMMISSIONERS,

Defendant.

**PLAINTIFF'S OBJECTIONS AND CROSS-DESIGNATIONS TO NAIC'S  
DEPOSITION COUNTER-DESIGNATIONS**

Plaintiff Aithent, Inc. objects to the deposition counter-designations of Defendant and cross-designates as indicated below:

**DEPOSITION OF ROGER GRAVES**  
**OCTOBER 17, 2012**

<u>Deposition Designation:</u>	<u>NAIC Counter-Designation:</u>	<u>Objection:</u>	<u>Cross-Designation:</u>
6:13-7:1			
15:1-11			
15:16-19:5	19:6-21:8		
22:3-11	22:12-22		
22:23-23:14	23:18-24:11, 24:12-20, 25:1-27:3		
27:8-16	27: 17-28:15		
27:21-23			
28:14-21	29:25-30:8, 31:19-21		
32:5-34:15	34: 16-35:6		
35:7-37:18	37: 19-38:17		
38:25-42:25			

<u>Deposition Designation:</u>	<u>NAIC Counter-Designation:</u>	<u>Objection:</u>	<u>Cross-Designation:</u>
43:1-45:13			
49:2-50:24			
51:5-12			
57:24-58:11			
59:17-61:3			
61:13-67:2			
67:5-70:20			
71:6-20			
74:7-20			
88:8-91:8			
91:9-11	91:12-17		
94:14-98:17	98:22-99:18		
99:19-101:5	101:19-24		
101:25-102:23			
103:13-25	104:1-2		
105:10-108:5	108:7-12		
111:10-113:23			
116:10-117:6			
117:11-119:19			
120:3-25	121:1-17		
121:24-124:9			
127:12-128:23			
130:17-21			
131:4-24			
179:16-183:1	179:13-182:9		
183:19-185:12			
186:25-188:24			
189:14-192:23	189:14-192:23		

**DEPOSITION OF GARY GUMMIG**  
**SEPTEMBER 27, 2012**

<u>Deposition Designation:</u>	<u>NAIC Counter-Designation:</u>	<u>Objection:</u>	<u>Cross-Designation:</u>
7:2-11			
8:3-13			
9:3-24			
10:21-11:2	11:3-12, 12:9-24		
12:25-14:4	14:14-15:16		
18:10-21:5	21:6-22:1, 22:11-23:2, 23:6-24:3, 25:2-5, 25:23-26:15, 26:19-27:25		
28:15-29:20			
31:3-34:1	34:2-9, 34:15-35:5		
35:22-39:16			
39:25-40:21			
48:6-20			
50:10-51:8			
53:3-14			
58:15-59:1			
67:19-68:4			
70:2-10			
73:19-77:18			
80:22-24			
85:4-86:25			
96:23-100:25	106:16-107:7		
117:13-118:5	118:6-122:15		
122:16-124:21	124:22-125:8		
125:9-18	125:19-126:11, 133:24-134:12		
138:1-139:14	139:15-140:7		
140:8-145:18			
147:7-149:2	149:3-150:8		
153:20-155:11	152:9-153:19		

<u>Deposition Designation:</u>	<u>NAIC Counter-Designation:</u>	<u>Objection:</u>	<u>Cross-Designation:</u>
156:8-24	156:25-158:13		
159:12-161:8			
161:18-162:2			
163:17-164:21			
170:13-171:11	171:12-172:4		
174:5-178:2			
180:17-181:12			
182:20-184:4			
185:21-186:4	186:5-187:4	Completeness	187:7-9
187:10-189:5			
191:19-192:15			
193:7-22			
194:5-10			
194:16-19			
195:2-9			
197:1-198:18			
200:22-201:6	201:7-14		
207:21-208:21			
212:15-213:1	213:2-215:10	Foundation	
218:15-219:15			
220:1-228:2			
229:10-230:10	230:11-14		
238:21-241:6	242:18-22		
244:7-16	243:2-3	Completeness	243:4-15

**DEPOSITION OF THERESE VAUGHAN**  
**OCTOBER 24, 2012**

<u>Deposition Designation:</u>	<u>NAIC Counter-Designation:</u>	<u>Objection:</u>	<u>Cross-Designation:</u>
6:18-7:1			
22:18-27:5	27:6-8	Hearsay	

<u>Deposition Designation:</u>	<u>NAIC Counter-Designation:</u>	<u>Objection:</u>	<u>Cross-Designation:</u>
28:4-30:21			
31:8-32:14	34:2-6, 34:12-35:16, 36:12-16	Hearsay	
36:17-39:1	39:2-17, 48:15-19	39:2-17: Hearsay 48:15-19: Foundation, hearsay	
54:10-21	54:22-55:8	Completeness , hearsay	If admitted: 55:9-12
56:5-57:14	55:13-56:4	Hearsay	
58:24-59:22	60:8-10, 60:17-61:2	Foundation, hearsay	
75:8-77:4			
79:20-80:25			
82:24-83:24			
85:11-86:4			
96:5-97:6	98:5-24	Foundation, hearsay	
121:15-124:25			
150:3-151:25			
179:13-180:17	176:4-177:1	Hearsay	
182:10-186:20			
200:17-203:5			

**DEPOSITION OF MARYELLEN WAGGONER**  
**DECEMBER 5, 2012**

<u>Deposition Designation:</u>	<u>NAIC Counter-Designation:</u>	<u>Objection:</u>	<u>Cross-Designation:</u>
6:14-7:1			
8:9-10:2			
19:2-20:12			
22:4-24:17			
25:4-14			

<u>Deposition Designation:</u>	<u>NAIC Counter-Designation</u>	<u>Objection:</u>	<u>Cross-Designation:</u>
26:5-27:19			
28:3-5			
33:12-34:14	33:10-11	Completeness	33:12-34:14
36:1-19			
39:12-15	38:5-39:8		
40:7-43:20			
48:23-49:17			
51:3-12			
52:7-12			
54:1-56:10			
57:21-58:22	58:23-59:2	Completeness, hearsay	If admitted: 57:21-58:22
59:3-18	59: 19-60:2	Completeness, hearsay	If admitted: 59:3-18
63:9-64:2			
64:12-65:24			
67:18-68:21			
68:23-69:12			
69:22-70:12			
71:12-25			
76:1-77:10			
77:17-80:24			
83:19-84:15			
85:3-5			
85:18-88:4	88:5-7	Hearsay, completeness	If admitted: 85:18-88:4, 88:8-22

<u>Deposition Designation:</u>	<u>NAIC Counter-Designation</u>	<u>Objection:</u>	<u>Cross-Designation:</u>
88:8-22	88:23-89:8, 89:12-21, 89:25-90:2, 90:21-92:4	88:23-89:8: Hearsay 89:12-21: Foundation, hearsay 89:25-90:2: Foundation, hearsay 90:21-92:4: Foundation, hearsay, completeness	If 90:21-92:4 is admitted: 92:7-21
96:1-20	96:21-24	Hearsay, completeness	If admitted: 96:1-20
99:19-100:3			
100:23-101:5			
101:17-23			
102:5-103:25			
105:4-107:19			
110:3-10			
111:2-112:16			
114:9-115:12	113:17-114:1, 114:8		
119:23-120:18			
123:4-22	123:2-3, 123:23-124:4		
124:22-127:19			
130:7-131:11			
133:17-134:7	133:7-13, 133:15-16	Relevance, foundation, completeness	If admitted: 133:17-134:7
135:20-136:11	136:12-19	Foundation, relevance, completeness	If admitted: 135:20- 136:11
139:10-142:2			
146:19-154:19			
154:24-156:13			

<u>Deposition Designation:</u>	<u>NAIC Counter-Designation</u>	<u>Objection:</u>	<u>Cross-Designation:</u>
158:1-168:19			
168:22-170:16			
171:12-172:23			
173:4-174:21	174:22, 174:24		
175:20-177:7	175:1-7, 175:9-13, 175:16-19, 177:8-14		
177:15-178:24			
183:25-185:15			
187:13-188:2			
201:23-205:19			

**DEPOSITION OF CATHY WEATHERFORD**  
**NOVEMBER 27, 2012**

<u>Deposition Designation:</u>	<u>NAIC Counter-Designation:</u>	<u>Objection:</u>	<u>Cross-Designation:</u>
5:19-6:10			
8:15-9:3			
10:22-11:2			
52:13-18	53:15-20, 54: 1	53:15-20: Hearsay	
60:20-61:4			
68:14-15			
70:17-71:12			
73:1-15			
85:19-87:10			
88:3-89:1			
90:6-91:14			
91:21-93:11			
97:2-99:8			
118:6-20			
145:15-146:12			
175:5-178:1			

<u>Deposition Designation:</u>	<u>NAIC Counter-Designation:</u>	<u>Objection:</u>	<u>Cross-Designation:</u>
190:22-195:4	190:2-21	Hearsay	
196:5-12			
197:22-198:14			
237:20-238:7			
238:14-240:19	241:7-16, 242:1-5	Completeness, hearsay	241:7-16: If admitted: 241:17-22 242:1-5: If admitted: 242:6-17
245:7-246:4			
247:2-248:16			
250:11-17			
251:8-252:5			
252:14-19			
253:7-254:13			
255:5-10			
261:22-262:20			
264:9-266:2			
277:5-20			
296:11-297:5	295:6-296:10, 297:6-18, 297:21-298:2	Hearsay	
298:12-299:15	298:4-11	Hearsay	
301:5-20	304:18-306:7	Completeness, hearsay	If admitted: 304:2-17, 306:8-22

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing was served through the Court's ECF system and/or mailed, postage pre-paid, on this 14<sup>th</sup> day of May, 2013 to:

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